

### REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed March 4, 2004. In the Office Action, claims 15-20 were allowed and claims 6-7, 9-10 and 12-13 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. In response, claims 6, 9 and 12 have been rewritten into independent form. In effect, such placement does not constitute a narrowing amendment. Withdrawal of the objection is respectfully requested.

In summary, claims 6-7, 9-10, 12-13 and 15-20 are in condition for allowance.

With respect to claims 1-5, 8, 11, 14 and 21 were rejected under 35 U.S.C. §102(b) as being anticipated by Hendrickson (U.S. Patent No. 6,055,281). Applicants respectfully traverse the rejection because a *prima facie* case of obviousness has not been established.

As the Examiner is aware, in order to anticipate a claim under §102(b), Hendrickson must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in the single prior art reference." See *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d, 1051, 1053 (Fed. Cir. 1987).

For claim 1, Hendrickson does not teach "computing *an arithmetic combination of the real value component and the corresponding imaginary value component* to detect whether a series of bits falls within a selected region of the complex phase map defined by the at least one boundary constraint line." Emphasis added. In contrast, column 17, lines 17-64 & table 2 of Hendrickson describes a digital slicer (214) does not conduct any arithmetic combination of the real (Re) value component and the corresponding imaginary (Im) value component as claimed. Examples of arithmetic operations include Re+Im and Re-Im. Instead, as shown in Table 2, a comparison of the absolute values of both the Re value component and the Im value component, along with sign values of these components, is used for detection purposes.

Likewise, claim 9 includes the limitation of "detecting a first series of bits if *an arithmetic combination of the real value component and the corresponding imaginary value component* falls within a first selected region of the complex phase map defined by the at least one boundary constraint line" and claim 21 includes the limitation of "detecting a first series of bits *based on an arithmetic combination of the real value component and the corresponding imaginary value component*." Emphasis added. Upon review, Applicants respectfully submit that Hendrickson does not teach either of these limitations. Besides not having any capability of performing an arithmetic combination of the real value component and the corresponding imaginary value component for bit detection, the digital slicer (214) also does not detect a first series of bits falling when if an arithmetic combination of the real value component and the corresponding imaginary value component falls within a first selected region of the complex phase map.

Applicants respectfully request the Examiner to reconsider and withdraw the outstanding §102(b) rejection.

Claims 22-27 have been added. Consideration of these claims is respectfully requested.

**Conclusion**

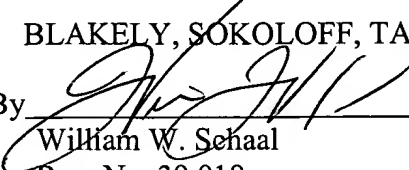
Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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Dated: June 3, 2004

By

  
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Susan McFarlane

June 3, 2004

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